



UNITED STATES
PATENT AND
TRADEMARK OFFICE

10087190.03 Page 1 of 1

03 Co

Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/087,190	02/28/2002	Pia M. Challita-Eid	511582003420

Robert K. Cerpa
Morrison & Foerster LLP
Suite 500
3811 Valley Centre Drive
San Diego, CA 92130

CONFIRMATION NO. 7796

FORMALITIES LETTER



OC000000009558109

Date Mailed: 02/25/2003

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 01/28/2003 to the Notice to File Missing Parts (Notice) mailed 10/28/2002 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

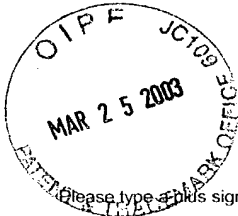
- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 10 & 11.

A copy of this notice MUST be returned with the reply.

mm

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>		Application Number	10/087,190
		Filing Date	28 February 2002
		First Named Inventor	Pia M. CHALLITA-EID, et al.
		Group Art Unit	3749
		Examiner Name	To be assigned
Total Number Of Pages In This Submission	13	Attorney Docket No.	511582003420

ENCLOSURES (check all that apply)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input checked="" type="checkbox"/> Drawing(s) Figures 10, 11 and 13 | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declarations | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | 1. Copy of Notice of Incomplete Reply |
| <input type="checkbox"/> Information Disclosure Statement, PTO Form 1449, References | <input type="checkbox"/> Request for Refund | 2. Return Postcard |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Kate H. Murashige Reg. No. 29,959 Morrison & Foerster LLP 3811 Valley Centre Drive, Suite 500, San Diego, California 92130
Signature	
Date	March 19, 2003

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231, on March 19, 2003.

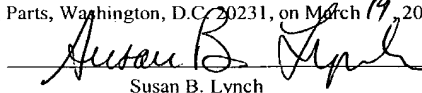
Susan B. Lynch



PATENT
Docket No. 511582003420

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231, on March 19, 2003.


Susan B. Lynch

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Pia M. CHALLITA-EID, et al.

Serial No.: 10/087,190

Filing Date: February 28, 2002

For: NUCLEIC ACID AND
CORRESPONDING PROTEIN
ENTITLED 121P1F1 USEFUL IN
TREATMENT AND DETECTION OF
CANCER

Examiner: To Be Assigned

Group Art Unit: 3749

RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Notice Of Incomplete Reply (Nonprovisional) mailed February 25, 2003. The period of reply remains as set forth in the Notice To File Missing Parts Of Nonprovisional Application mailed October 28, 2002. Applicants' response to the Notice To File Missing Parts Of Nonprovisional Application was mailed on January 28, 2003, accompanied with a request and petition for extension of time from December 28, 2002 to January 28, 2003.

Therefore, Applicants enclose a petition and request a further extension of time, to March 28, 2003.

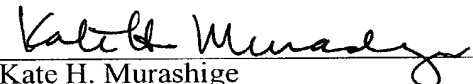
Enclosed are three (3) substitute sheets of drawings for Figures 10, 11, and 13, in connection with the above-identified application. The Figures have been corrected to comply with the margin requirements as required by 37 CFR 1.84(g). Applicants respectfully request the entry of these amendments.

In the unlikely event that the transmittal letter is separated from this request and the U.S. Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing to our Deposit Account No. 03-1952. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: March 19, 2003

By:


Kate H. Murashige
Registration No. (29,959)

Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-5112
Facsimile: (858) 720-5125

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FEE TRANSMITTAL FOR FY 2002

MAR 25 2003

Patent fees are subject to annual revision.

Complete if Known

Application Number 10/087,190
Filing Date 28 February 2002
First Named Inventor Pla M. CHALLITA-EID, et al.
Examiner Name To Be Assigned
Group Art Unit 3749

TOTAL AMOUNT OF PAYMENT

(\$ 410.00

Attorney Docket No. 511582003420

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1952
Deposit Account Name Morrison & Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	x	= \$	
Multiple Dependent	x	= \$	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claims, if not paid	
109	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 0

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	465
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) Less \$55.00 previously submitted (\$5.00)

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 410.00

SUBMITTED BY

Name (Print/Type) Kate H. Murashige Registration No. 29,959 Telephone (858) 720-5112
Signature *Kate H. Murashige* Date March 9, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.